



# OFFICE OF THE CITY CLERK ▪ CITY OF BINGHAMTON

*Teri Rennia, City Council President*

*Angela Holmes, City Clerk*

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## BOARD OF ESTIMATE AND APPORTIONMENT

### MEETING MINUTES

DPW Conference Room, 3<sup>rd</sup> Floor City Hall

Wednesday March 12, 2014

**Call to Order.** Called to order at 11:26am by Richard C. David, Mayor.

**Present:** Richard C. David, Mayor; Charles Pearsall, Comptroller; Kenneth J. Frank, Corporation Counsel; Philip T. Krey, City Engineer; Gary Holmes, Commissioner of Public Works

**Absent:** None

**Also Present:** Lori Clift, Data Processing Operations Coordinator; Angela Holmes, City Clerk; Gerald Kennicutt, Deputy Comptroller; Jared Kraham, Executive Assistant to the Mayor

### ITEMS CONSIDERED

**Permanent Easement for Portion of 70-72 Court Street.** Request to enter into an agreement for a permanent easement for a portion of 72 Court Street, submitted by 33 State Street Associates. Alan Pope, Andrew Urso and Larry Pasquale attended the meeting held January 15, 2014 to discuss the proposal. The Board reviewed this matter, and concluded that any agreement should be limited to the space required for a stairway, but should not include space for a patio. The Board of Contract and Supply approved a Request for Sealed Bids for 70-72 Court Street at a meeting held on February 12, 2014. Such Request for Sealed Bids includes a restriction stating that the sale would be subject to a permanent easement for pedestrian ingress and egress from a basement stairwell at 92 State Street, but that construction above the stairwell would be permitted. Kenneth J. Frank will discuss the details of the permanent easement with Mr. Pope. Item held.

**Offer to Purchase/Lease 17 Broad Street.** Request to purchase or lease space at 17 Broad Street for a new Verizon Wireless communications facility. Leigh McCullen noted for the record that any development would require Planning Commission approval. Jonathan Yeager met with a representative to identify possible tower locations at 17 Broad Street. The Department of Public Works is continuing conversations with Verizon. Item held.

**8 Meadow Street.** Offer to Purchase 8 Meadow Street for \$100, submitted by Tonya Dakari on December 23, 2013. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing & Community Development on January 2, 2014. Steve Quinn responded on January 3, 2014, stating that this property is one of several properties that the First Ward Action Council is scheduled to purchase and develop under the City's Restore NY grant application and NYS Tax Credit application. Scott Snyder responded on January 3, 2014, confirming that the property is listed as a Restore NY property. Mayor David met with Jerry Willard from First Ward Action Council, who indicated that they are still slated to receive funding for the development of the property. First Ward Action Council should know the outcome within the next few months. Item held pending confirmation of funding for First Ward Action Council.

**77 Pine Street.** Request to donate 77 Pine Street to the City of Binghamton, submitted by Luciano Piccirilli of Stephgina Realty, Co., Inc. on February 19, 2014. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing & Community Development on February 20, 2014. Scott Snyder responded on March 3, 2014, stating that he is not in favor of accepting the donation, as the City just sold off excess



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properties. Snyder suggested that the applicant donate the property directly to Volunteers Improving Neighborhood Environments (VINES). Tom Costello responded on March 4, 2014, stating that his office did not identify any prohibitive factors, but as a building was previously demolished at this site, it might be prudent to conduct a Phase I Environmental Assessment of the property prior to accepting it as a donation. Jennifer Taylor responded on March 10, 2014, recommending the rejection of the donation, and to encourage the applicant to sell the property to an adjacent property owner. Item held.

**109 Liberty Street.** Offer to Purchase 109 Liberty Street for \$200, submitted by Laura Race on March 3, 2014. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing & Community Development on March 4, 2014. Scott Snyder responded on March 5, 2014, stating that he is not in favor of this sale. Snyder noted that this property was withheld by PHCD from the list of properties recently sent to auction for some reason. In addition, the applicant does not own the adjoining property. Jennifer Taylor responded on March 7, 2014. PHCD needs to confirm whether or not this property is part of a development strategy under Restore NY. Should the City sell the property to the applicant, she would recommend including a restriction that the property must revert back to the City upon death, sale or transfer, or if the buyer should relocate. In addition, language should be included that would enable the City to assess the environmental conditions prior to acquisition. Tom Costello responded on March 10, 2014, stating that he would be in favor of the sale if the applicant makes a fair offer for the property. The Board discussed the potential sale of the property to the applicant's husband, with the condition that the property must serve as green space and/or garden space, and that the property would revert back to the City upon the owner's death. Item held, pending receipt of additional information from Jennifer Taylor regarding the property's involvement in Restore NY development.

**Approval of Minutes.** Request to approve the minutes from the Board of Estimate and Apportionment meetings held on March 5, 2014.

Motion to approve minutes.

Moved by Holmes, seconded by Krey.

**Motion carried. (Vote 5-0)**

Ayes: David, Pearsall, Frank, Krey, Holmes

Nays: None

**Budget Transfer.** Request to transfer a total of \$50,000 from various budget lines to budget line A1440.54410 (Professional Services) to fund the Binghamton Parking Study, in accordance with RL 14-31. Submitted by Richard C. David, Mayor. Budget transfers are as follows:

1. \$12,120 from budget line A1490.51000 (Personal Services—Superintendent of City Streets);
2. \$8,600 from budget line A1620.51000 (Personal Services—Assistant Building Maintenance Mechanic);
3. \$7,800 from budget line A1650.51000 (Personal Services—Laborer);
4. \$12,700 from budget line A6889.51000 (Personal Services—Director of Economic Development);
5. \$6,100 from budget line A8684.51000 (Personal Services—Chief Planner); and
6. \$2,680 from budget line A8686.51000 (Personal Services—PHCD Director).

Motion to approve such transfers.

Moved by Pearsall, seconded by Frank.

**Motion carried. (Vote 5-0)**

Ayes: David, Pearsall, Frank, Krey, Holmes

Nays: None



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**Budget Transfer.** Request to transfer a total of \$14,859.58 from budget line A1210.51000 (Personal Services—Youth Bureau Director) to various budget line to fund the benefits for two (2) Police Officers, effective September 1, 2014, in accordance with RL 14-32. Submitted by Richard C. David, Mayor. Budget lines and amounts are as follows:

1. \$2,468.80 to budget line A3120.51600 (Holiday Pay);
2. \$2,313.58 to budget line A9030.58000.B (Social Security);
3. \$4,244.80 to budget line A9060.58000.C (Health Insurance);
4. \$4,657.40 to budget line A9015.58000 (Police & Fire Retirement); and
5. \$1,175.00 to budget line A3120.54190 (Uniforms).

Motion to approve such transfers.

Moved by Krey, seconded by Pearsall.

**Motion carried. (Vote 4-0-1)**

Ayes: David, Pearsall, Krey, Holmes

Nays: None

Absent: Frank

**Budget Modification.** Request to amend the 2014 budget to add two (2) Police Officer positions, effective September 1, 2014. Request to increase appropriation in budget line A3120.51000 (Personal Services—Police Officer, Probationary A [Funded 9/1-12/31/14 @ 40,118/yr, 2 @ 13,887 = 27,774]), and to increase estimated revenue in budget line A.42260 (Public Safety Services—Other Governments: Binghamton Schools, Resource officer) by \$27,774, in accordance with RL 14-33. Submitted by Richard C. David, Mayor.

Motion to approve such budget modifications.

Moved by Krey, seconded by Holmes.

**Motion carried. (Vote 4-0-1)**

Ayes: David, Pearsall, Krey, Holmes

Nays: None

Absent: Frank

**2014 Capital Improvements.** Request to amend the 2014 Capital Improvement Projects, as outlined in RL 14-34.

Submitted by Richard C. David, Mayor. Proposed amendments are as follows:

1. Eliminate the following:
  - a. Police Capital Improvements (Equipment), In-Car Camera Systems (5), \$27,500;
  - b. Police Capital Improvements (Equipment), FATS (Range Simulator), \$55,000;
  - c. Fire Capital Improvements (Equipment), 75' Straight Ladder Truck, \$499,000;
  - d. Parking Ramps Capital Improvements (Equipment), Pay Station at State Street Ramp, \$40,000;
  - e. Parks Capital Improvements (Equipment), 1-Ton Pick-Up Truck & Trailer, \$53,000;
  - f. Public Works Capital Improvements (Equipment), Snow Blower, \$125,000;
  - g. Public Works Capital Improvements (Construction), 5<sup>th</sup> Floor Renovations/Courts, \$125,000;
  - h. Public Works Capital Improvements (Construction), Council Chambers, \$150,000;
  - i. Public Works Capital Improvements (Construction), Floor Refinishing—3<sup>rd</sup> Floor, \$15,000; and
  - j. Parks Capital Improvements (Construction), Remove First Ward Pool, \$100,000.
2. Add the following:
  - a. Public Works Capital Improvements (Equipment), Small Roller & Truck, \$125,000; and
  - b. Engineering Capital Improvements (Construction), S. Washington Street Bridge Rehab, \$1,585,000.



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3. Amend the following:

- a. Increase Engineering Capital Improvements (Construction), Street Reconstruction, from \$1,600,000 to \$2,347,500; and
- b. Amend a typographical error in the description in Parks Capital Improvements (Construction), from "Upgrade 7 Park Bathroom Facilities" to "Upgrade 3 Park Bathroom Facilities".

Motion to approve such amendments to the 2014 Capital Improvements Projects.

Moved by Pearsall, seconded by Krey.

**Motion carried. (Vote 5-0)**

Ayes: David, Pearsall, Frank, Krey, Holmes

Nays: None

**49 Riverside Drive.** Request to amend the City of Binghamton municipal boundary at 49 Riverside Drive (Tax Parcel No. 159.41-1-49) to be coterminous with the property line, as the municipal boundary currently runs through the parcel. Submitted by Kenneth J. Frank, Corporation Counsel. Property is currently assessed at a value of \$1. Frank noted that an amendment to the municipal boundary would constitute an annexation, and would require a joint public hearing by both the City of Binghamton and the Village of Johnson City. Both legislative bodies would have to agree to the annexation. Board members generally agreed to the proposal, and requested that this matter be presented to City Council for discussion.

**2014 Bond Ordinance.** Request to approve the 2014 Bond Ordinance, including those amendments outlined above, as outlined in RL 14-35. Submitted by Richard C. David, Mayor.

Motion to approve the 2014 Bond Ordinance.

Moved by Holmes, seconded by Pearsall.

**Motion carried. (Vote 5-0)**

Ayes: David, Pearsall, Frank, Krey, Holmes

Nays: None

**Adjournment.** Motion to adjourn at 12:07pm.

Moved by Krey, seconded by Holmes.

Voice vote, none opposed.